

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of:

Billed Party Preference
for 0+ InterLATA Calls

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JUL - 7 1992

CC Docket No. 92-87
Federal Communications Commission
Office of the Secretary

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Comments

Allnet Communication Services, Inc. (Allnet), hereby submits these comments on some of the issues raised by the Commission in its Notice of Proposed Rulemaking, released May 8, 1992. Broken down to its essential elements, "Billed Party Preference" is an enhancement to the GTE/Bell Operating Company (henceforth, BOC) calling card service. It should be treated as such. Billed Party Preference provides no benefit to users of other calling cards or those who chose to use general purpose bank credit cards. Thus, the costs of Billed Party Preference, whatever they may be, must be borne solely by those carriers who accept and those who actively use BOC calling cards.

Secondly, the Billed Party Preference system should not be allowed to promote monopoly provision of intraLATA services. Therefore, an end user must be allowed to presubscribe to their choice of both intraLATA or interLATA carriers. The BOC calling card should not limit an end user's choice of intraLATA carrier to the BOC.

Finally, in order to minimize customer confusion, no balloting should be

done for billed party preference. Instead, the end user's calling card (if they have one) should be automatically presubscribed to the end user's 1+ carrier. If a long distance 1+ carrier is not prepared to accept this traffic from its end user's calling cards, then that 1+ carrier will be responsible for selecting another carrier to carry those calls. This arrangement would not bar individual carriers from actively soliciting end user's to chose them for their presubscribed billed party preference carrier. However, the confusion and expense of a ballot are not needed for this result to be accomplished.

1. The Costs of Billed Party Preference Should Be Borne Solely By End Users and Carriers Who Actively Use and Accept BOC Calling Cards

A number of long distance carriers have actively developed and promoted their own proprietary calling cards. It would be unfair and inequitable for those carriers or their end user's to subsidize the development of enhanced routing features (such as billed party preference) on the BOC's calling card -- which they have chosen not to use. Therefore, the costs of billed party preference should be borne solely by the calling card services of the BOCs, not by any other access service.

2. Issues Relating to Implementation of Billed Party Preference

a. Part 68 Rules Should Not Be Amended to Preclude Automatic Dialing, Instead Telephones Equipped With Billed Party Preference Should Be Uniquely Identified

Given that Billed Party Preference is a feature of the BOC calling card, the BOCs should have to pay to make their calling card accessible from telephones

other than their own pay telephones. Just as the BOCs have imposed a premium on other cards for being listed for convenient use on their multibutton telephones, the BOCs should expect no better treatment for their cards on telephones that others provide. In other words, if a BOC wants its billed party preference-based calling card to gain the preferential 0+ access on a private pay telephone, then the BOC must pay the private pay telephone operator for the ability to gain that advantageous dialing access. The amount paid should go towards offsetting the compensation that the FCC believes private pay telephone providers should have.¹ Why should a BOC billed party preference card gain the preferential 0+ dialing access from private pay telephones and from residential and business line telephones? If the BOCs want universal access to their billed party preference-based card, then they can employ 10XXX dialing, or 1-800-NXX-XXXX dialing, just as any other card issuer. In fact, under the TOSCIA, the BOCs were required to "make available to their customers a '950' or '800' access code number for use in making operator services calls ..." ² Thus, there is no basis for the Commission to force either private pay operators or, residences or businesses, to yield the 0+ dialing capability on their telephone lines to one calling card -- namely that of the BOCs.

Finally, the BOCs should clearly mark their pay telephones to indicate that they will route 0+ calls on a billed party preference basis, thus consumers will

¹Policies and Rules Concerning Operator Service Access and Pay Telephone Compensation, CC Docket No. 91-35, FCC 92-170 (released May 8, 1992), 57 Fed Reg. 21038 (May 18, 1992).

²147 USC §226(e)(1).

know that these telephones have this unique (presumably desirable) routing feature.

b. IntraLATA, As Well As InterLATA, Carriers Should Be Presubscribable On a Billed Party Preference Basis

As currently proposed, billed party preference would be limited to interLATA calling. This is improper and anticompetitive. The Commission must not compromise its procompetitive policies of providing all end user's the freedom to chose any carrier for carrying their intraLATA calls on a billed party preference basis. There is no reason for the BOCs to automatically receive this traffic. Therefore, the Commission must require that all traffic, including intraLATA calling, be presubscribable on a BOC calling card.

c. Customer's Should Automatically Be Presubscribed to Their 1+ Carrier; Balloting Will Cause Customer Confusion

No general billed party preference balloting should take place for end users. Such additional balloting will cause end users to become confused regarding whether their 1+ presubscription choices are again "up for grabs." Such balloting would impose significant costs on presubscribed 1+ carriers who would be required to defensively educate their end user population to assure them that the balloting that would take place is not related to their 1+ presubscription choices.

Relatively few end users are active BOC calling card users. Many end users either don't have a BOC calling card or, if they do have one, rarely if ever use their calling card. There is no reason for these end users to be subject to the


confusion that will be created by a general balloting for BOC calling cards.

Instead, the BOC calling card presubscribed carrier should default to the current 1+ interLATA and 1+ intraLATA choices of the end user. This would assure that the end user would not be forced to purchase services from a carrier with whom the end user has no business relationship. In addition, it would avoid the customer confusion that was referred to above.

3. Summary

For the reasons set forth herein, the costs of billed party preference should be borne solely by those end users and carriers who actively use and accept BOC calling cards. In addition, intraLATA traffic should be presubscribable to any carrier. Finally, billed party preference routing should not be forced upon any end user's telephone line, nor should end users be balloted for billed party preference.

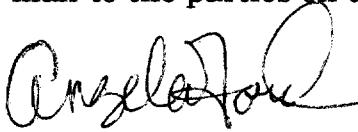
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Dated: July 7, 1992

Certificate of Service

I, Angela Ford, hereby certify that I have caused to be served on this date, July 7, 1992 a true copy of the forgoing Allnet Comments by postage-prepaid first class mail to the parties on the attached service list.

A handwritten signature in cursive script, appearing to read "Angela Ford", written in black ink.

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